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10/576,191

04/17/2006

Rikiya Ishiguro

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SQUIRE, SANDERS & DEMPSEY L.L.P.
8000 TOWERS CRESCENT DRIVE
14TH FLOOR
VIENNA, VA 22182-6212

EXAMINER

MONFELDT, SARAH M

ART UNIT

PAPER NUMBER

3692

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/576,191	Applicant(s) ISHIGURO, RIKIYA	
	Examiner SARAH M. MONFELDT	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION
Status of Claims

1. This action is in reply to the RCE filed on 7 July 2008.
2. Claims 1-7 were amended.
3. Claims 1-7 are currently pending and have been examined.

Claim Rejections - 35 USC § 101

4. The Examiner notes that Claims 1-7 are rejected directed to a system in which paragraph [0039] of the specification as filed states that "each unit comprises a CPU, a ROM, a RAM, and electric circuit and the like". Therefore, the recited system is directed to a statutory class and not software per se.

Claim Rejections - 35 USC § 112, second paragraph

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claim 1 remains rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Vague & Indefinite:

- i. Claim 1 recites the following:

first index	a_{ij}
second index	b_{ij}
third index	c_{jn}
selection index	K_{ij}
+ coefficient	α_i
+ coefficient	β_i
+ coefficient	γ_i
+ coefficient	d_{ij}

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It appears that the recited indices are rankings rather than indices and are directed to filtering items of a list by setting specific preferences/parameters. Based on the above table the Examiner notes that each of the above indices is indicated as being part of a formula or calculation or algorithm, however the specification does not provide guidance to how these indices are actually calculated/determined/chosen. Moreover, with regard the first, second and third indices, how are these numbers determined? Can they positive, negative, or zero? The specification does not indicate how the first, second and third indices are chosen/assigned. Moreover, it is not clear how the selection index once calculated is utilized, therefore, in view of this, the 112, second paragraph rejection remains with regard to the claims being vague and indefinite. Appropriate correction is required.

7. Claim 3 is also rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 recites the limitation "the priority preference". There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 112, first paragraph

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. Description as to how the indices are calculated/determined/chose is critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976). It is not clear how one would go about recreating the present invention since the disclose and claims are silent as to how the selection index is actually calculated, i.e. there is no disclose for calculating/determining/choosing the recited indices or how the selection index is utilized to make a determination as to how "determining a received order content" between the first trader and second trader is established once the selection index is calculated.

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Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solomon (US 2002/0046157) in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219).

Examiner's Note: The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 1 –

As per claim 1, Solomon discloses *a commercial transaction management system for managing commercial transaction between a plurality of first traders and a plurality of second traders as parties involved, based on network communication with a first terminal device of the first trader placing order of goods, and a second terminal device of the second trader receiving order of goods* having the limitations of:

- a first processing unit for determining a first index (a_{ij}) according to cost needed for the commercial transaction with the first trader (i) for each of the second traders (j), based on part or all of a placed order content of the first trader (i), upon recognizing the placed order content including category, quantity, desired delivery date, and priority rank of the ordered goods by the first trader (i) based on the communication with the first terminal device; (*see at least paragraphs [0031], [0035], [0037], [0046], [0210], [0233], [0245], [0259], [0265], [0284]-[0285], [0289]-[0290], [0334], [0344]; [0360]-[0385], [0392]-[0402] of Solomon*)
- a second processing unit for determining a second index (b_{ij}) according to time needed for commercial transaction with the first trader (i) for each of the second traders (j), based on part or all of the placed order content of the first traders (i), upon recognizing the placed order content

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of the first trader (i) based on the communication with the first terminal device; (see at least paragraph [0031], [0035], [0037], [0046], [0210], [0233], [0245], [0259], [0265], [0284]-[0285], [0289]-[0290], [0334], [0344]; [0360]-[0385], [0392]-[0402] of Solomon)

- a third processing unit for determining a third index (c_i) according to quality or level of service, which is identified by a delivery date compliance rate $(= (\text{quantity of goods delivered in compliance with the delivery date}) / (\text{quantity of total delivery}))$, upon recognizing the quality of goods or level of service of each of the second traders (j); (see at least paragraph [0031], [0035], [0037], [0046], [0210], [0233], [0245], [0259], [0265], [0284]-[0285], [0289]-[0290], [0334], [0344]; [0360]-[0385], [0392]-[0402] of Solomon)
- a fourth processing unit for determining a selecting index (K_{ij}) for selecting the second trader (j) based on the first index (a_{ij}), the second index (b_{ij}), and the third index (c_i) determined by the first processing unit, the second processing unit, and the third processing unit, preferentially, according to equation (1) and for preferentially determining the second trader ($j = 1, 2, \dots$) receiving order of goods from the first trader (i) (see at least paragraph [0034], [0259], [0261], [0265], [0266] (see also [0031], [0035], [0037], [0046], [0210], [0233], [0245], [0259], [0265], [0284]-[0285], [0289]-[0290], [0334], [0344]; [0360]-[0385], [0392]-[0402] of Solomon),
- a fifth processing unit for determining; and (see at least paragraph [0265])
- a communication processing unit for transmitting the received order content. (see at least paragraph [0265])

Solomon does not explicitly disclose the following limitations:

- such that the first index decreases as the cost increases, such that the second index decreases as time increases, such that the third index increases as quality or level of service improves

Ijichi et al. teach such that the first index decreases as the cost increases, such that the second index decreases as time increases, such that the third index increases as quality or level of service improves (see at least paragraph [0037]). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the system of Solomon to include “low” may be specified within a range specified in the range specifying field to indicate that a lower purchase price is considered as better, “many” is specified because a larger quantity is more desirable and “early” is specified to set for that the article is desirably delivered as early as possible as taught by Ijichi et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the system of Solomon in this way since a characteristic feature in the entry of conditions lies in that a condition extending over a predetermined range specified for each of a desired purchase price, quantity, and due date is accepted in a range

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specifying field and a preferred region within the predetermined range and be specified in a priority field (see at least paragraph [0037] of Ijichi et al.).

Solomon does not explicitly disclose the following limitations:

- *desired delivery date of the ordered goods by the first trader based on the communication with the first terminal device*

Ijichi et al. teaches desired delivery date of the ordered goods by the first trader based on the communication with the first terminal device (see at least Figs. 8-11 and corresponding text). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the system of Solomon to include the delivery date field as taught by Ijichi et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the system of Solomon in this way since by the buyer being able to define a range of dates allows for flexibility and for comparison with sellers who have overlapping delivery dates (see at least [0044] of Schreiber).

Solomon does not explicitly disclose the following limitations:

- *a received order content including the category, quantity, delivery date, and priority rank of the ordered goods received by the second trader (j), based on the placed order content set by the first trader (i) recognized by the first or the second processing unit*
- *the received order content including the category, quantity, delivery date, and priority rank of the ordered goods received by the second trader (j), based on the placed order content set by the first trader (i) recognized by the first or the second processing unit*

Kamiya in view of Ijichi et al. teach *a received order content including the category, quantity, delivery date, and priority rank of the ordered goods received by the second trader (j), based on the placed order content set by the first trader (i) recognized by the first or the second processing unit; including the category, quantity, delivery date, and priority rank of the ordered goods received by the second trader (j), based on the placed order content set by the first trader (i) recognized by the first or the second processing unit* (see at least paragraph [0085] of Kamiya; see at least Figs. 8-11 of Ijichi et al.). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the system of Solomon to include a sales contract that decides such factors as the traded product, its quality, quantity, price, delivery date, and payment conditions between the supplier and buyer as taught by Kamiya and include "low" may be specified within a range specified in the range specifying field to indicate that a lower purchase price is considered as better, "many" is specified because a larger quantity is more

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desirable and “early” is specified to set for that the article is desirably delivered as early as possible as taught by Ijichi et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the system of Solomon in this way since sales contract is concluded between a buyer and a supplier and decided with such factors as the traded product, quality, quantity, price, deliver date (see at least paragraph [0085] of Kamiya) and since a characteristic feature in the entry of conditions lies in that a condition extending over a predetermined range specified for each of a desired purchase price, quantity, and due date is accepted in a range specifying field and a preferred region within the predetermined range and be specified in a priority field (see at least paragraph [0037]-[0040]; [0043]-[0044] of Ijichi et al.).

Solomon does not explicitly disclose the following limitations:

- in the descending order of the selection index (K_{ij})
 - Equation (1): $K_{ij} = d_{ij} \{ \alpha_i \bullet a_{ij} + \beta_{ij} \bullet b_{ij} + \gamma_i \bullet c_1 \}$, wherein α_i is a first coefficient depending on a commercial transaction cost, β_i is a second coefficient depending on a commercial transaction time, γ_i is a third coefficient depending on a quality of goods, which are all positive number for the first trader (i) depending on the order placing policy of the first trader (i), and wherein d_{ij} is a fourth coefficient which is a positive number for each of the first traders (i) based on the order receiving policy of the second trader (j);

Examiner would like to point out that the Supreme Court in *KSR International Co. v. Teleflex Inc.* described seven rationales to support rejections under 35 U.S.C. 103:

- Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art;

Ijichi et al. and Lee teach descending order of the selection index (K_{ij}) (see at least paragraph [0037]-[0040]; [0043]-[0044] of Ijichi et al.; col. 3, l. 54 through col. 5, l. 46 of Lee). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the system of Solomon to include comparing matched candidate purchaser and candidate offerer for the priority or the weighting factor assigned to the priority in the desired level information to find a matching degree, and determines the possibility that a transaction is established between both parties based on the matching degree as taught by Ijichi et al. and creating visual interface customized for individual RFQs showing all the attributes of the RFQ and their values of individual sell bids and to implement business rules specified by the buyer into the visual interface in the form of dynamic filters so that the buyer can interactively select or de-select those filters representing one or more business rules to visual the display of the given visual interface

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One of ordinary skill in the art at the time of the invention would have been motivated to expand the system of Solomon in this way since it allows for ranking and sorting the sell bids by score that is calculated by using one or more scoring algorithms (see at least col. 5, ll. 30-35 of Lee).

The Examiner notes that Ijichi et al. and Lee do not disclose the exact equation presented in claim 1, however Ijichi et al. recognizes matching based on priority and weighting factors (see paragraph [0044]) and Lee recognizes ranking and scoring calculated by using one or more scoring algorithms (see col. 5, ll. 30-35 of Lee). As stated above, the present invention does not disclose how the coefficients are determined/chosen, nor does it disclose how the first, second and third index are chose/calculated/determined or whether the first, second and third indexes can be negative, positive, or zero. Therefore, the Examiner maintains that the references listed above, disclose claim 1.

The Examiner notes that the claims requires a first processing unit, a second processing unit, a third processing unit, a fourth processing unit, a fifth processing unit, a communication unit, etc. The Examiner notes that each of the above cited references disclose a CPU, a ROM, a RAM, and electric circuit, however the references do not indicate that each unit is a separate unit including its own CPU, ROM, RAM, and electric circuit. The Examiner notes that making something separate or integral involves only routine skill in the art and involves mechanical skill only. Thus, no new or unexpected result occurs with making a machine separate or integral.

Claim 2 –

As per claim 2, Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) teach *the commercial transaction management system* of claim 1 as described above. Solomon, at least at [0208], Ijichi et al. at least at [0037]-[0040]; [0043]-[0044], Lee at least at col. 3, l. 54 through col. 5, l. 46, Kamiya at least at [0085] further discloses *a commercial transaction management system for managing commercial transaction between a plurality of first traders and a plurality of second traders as parties involved, based on network communication with a first terminal device of the first trader placing order of goods, and a second terminal device of the second trader receiving order of goods* having the limitations of:

- *wherein the fourth processing unit determines the selection index based on the first index, the second index, and the third index, upon recognizing an order placing policy of the first trader (i) indicating the importance to the first trader (i) of the cost needed for the commercial transaction, the time needed for the commercial transaction, and the quality of the goods or the level of the service, and upon weighing the first index, the second index, and the third index in accordance with the order placing policy of the first trader (i).*

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The motivation for making this modification to the teachings of Solomon is the same as that set forth above, in the rejection of Claim 1.

Claim 3 –

As per claim 3, Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) teach *the commercial transaction management system* of claim 1 as described above. Solomon, at least at paragraph [0336], Ijichi et al. at least at [0037]-[0040]; [0043]-[0044], Lee at least at col. 3, l. 54 through col. 5, l. 46, Kamiya at least at [0085] further discloses *a commercial transaction management system for managing commercial transaction between a plurality of first traders and a plurality of second traders as parties involved, based on network communication with a first terminal device of the first trader placing order of goods, and a second terminal device of the second trader receiving order of goods* having the limitations of:

- *wherein the fourth processing unit determines the selection index based on an order receiving policy of the second trader (j) indicating the priority preference of the second trader (j) to have commercial transaction with each of the first traders (i), upon recognizing the order receiving policy of the second trader (j) based on the communication with the second terminal device.*

The motivation for making this modification to the teachings of Solomon is the same as that set forth above, in the rejection of Claim 1.

Claim 4 –

As per claim 4, Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) teach *the commercial transaction management system* of claim 1 as described above. Ijichi et al. at least at [0037]-[0040]; [0043]-[0044], Lee at least at col. 3, l. 54 through col. 5, l. 46, Kamiya at least at [0085] further discloses *a commercial transaction management system for managing commercial transaction between a plurality of first traders and a plurality of second traders as parties involved, based on network communication with a first terminal device of the first trader (i) placing order of goods, and a second terminal device of the second trader (j) receiving order of goods* having the limitations of:

- *further comprising a sixth processing unit for recognizing a production plan of goods prepared by the second terminal device, based on the communication with the second terminal device to which the placed order content is transmitted by the communication processing unit, and for recognizing the delivery date to the first trader (i) of the goods produced by the second trader (j) in accordance with the production plan,*

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- *wherein the communication processing unit transmits the delivery date recognized by the sixth processing unit to the first terminal device.*

The motivation for making this modification to the teachings of Solomon is the same as that set forth above, in the rejection of Claim 1.

13. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solomon (US 2002/0046157) in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219), as applied to claims 1-4 above, and further in view of Dudle et al. (US 5570291).

Claim 5 –

As per claim 5, Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) teach *the commercial transaction management system* of claim 1 as described above. Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) do not explicitly disclose the following limitations:

- *further comprising a first correction processing unit for determining a change in the cost based on an order receiving status or a production progress status of the goods by the second trader (j), upon recognizing the order receiving status or the production progress status of the second trader (j) based on the communication with the second terminal device, and correcting the first index such that the first index decreases as the cost increases.*

Dudle et al. teach further comprising a first correction processing unit for correcting the first index based on an order receiving status or a production progress status of the goods by the second trader, upon recognizing the order receiving status or the production progress status of the second trader based on the communication with the second terminal device (see at least col. 16, ll. 34-46). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) to include the planning bill of materials subsystem audit as taught by Dudle et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) in this way since the planning bill of materials subsystem audit allows for a more accurate estimate (see at least col. 16, ll. 44-47 of Dudle et al.).

Claim 6 –

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As per claim 6, Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) teaches *the commercial transaction management system* of claim 1 as described above. Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) do not explicitly disclose the following limitations:

- further comprising a second correction processing unit for determining a change in the time based on an order receiving status or a production progress status of the goods by the second trader (j), upon recognizing the order receiving status or the production progress status of the second trader (j) based on the communication with the second terminal device, and correcting the second index such that the second index decreases as time increases.

Dudle et al. teach further comprising a second correction processing unit for correcting the second index based on an order receiving status or a production progress status of the goods by the second trader, upon recognizing the order receiving status or the production progress status of the second trader based on the communication with the second terminal device (see at least col. 16, ll. 34-46). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) to include the planning bill of materials subsystem audit as taught by Dudle et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) in this way since the planning bill of materials subsystem audit allows for a more accurate estimate (see at least col. 16, ll. 44-47 of Dudle et al.).

Claim 7 –

As per claim 7, Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) teaches *the commercial transaction management system* of claim 1 as described above. Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) do not explicitly disclose the following limitations:

- *further comprising a third correction processing unit for determining a change in the quality or level of service based on ratings of quality of goods or level of service for each of the second trader (j) by each of the first trader (i), upon recognizing the ratings of each of the second trader (j) by each of the first trader (i) based on the communication with the first terminal unit, and correcting the third index such that the third index increases as the quality or level of service improves.*
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Dudle et al. teach further comprising a third correction processing unit for correcting the third index based on ratings of quality of goods or level of service for each of the second trader by each of the first trader, upon recognizing the ratings of each of the second trader by each of the first trader based on the communication with the first terminal unit (see at least col. 16, ll. 34-46). It would have been obvious to one of ordinary skill in the art at the time of the invention to expand the method of Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) to include the planning bill of materials subsystem audit as taught by Dudle et al. One of ordinary skill in the art at the time of the invention would have been motivated to expand the method of Solomon in view of Ijichi et al. (US 2003/0093369), Kamiya (US 2003/0046220) and Lee (US 6952219) in this way since the planning bill of materials subsystem audit allows for a more accurate estimate (see at least col. 16, ll. 44-47 of Dudle et al.).

Response to Arguments

14. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.
15. As best understood the present application appears to be directed to RFQ (Request for Quote) between a plurality of buyers and a plurality of sellers in determining which a contract is to be eventually awarded based on certain criteria specified by each of the buyers and sellers.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARAH M. MONFELDT whose telephone number is (571)270-1833. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm (EST) ALT Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571)272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Sarah M. Monfeldt/
Patent Examiner, AU 3692
571-270-1833

/Kambiz Abdi/
Supervisory Patent Examiner, Art Unit 3692